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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,635	09/29/2003	Yun-Bong Chun	1594.1248	6265
21171	7590	03/29/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			VAN, QUANG T	
			ART UNIT	PAPER NUMBER
			3742	

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/671,635

Applicant(s)

CHUN, YUN-BONG

Examiner

Quang T Van

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 10, 14-18, 25 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 9, 11-13, 19-24, 26 and 27 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20030929.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 8, 10, 15, 17-18 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Ichikawa (US 4,724,292). Ichikawa discloses a microwave oven with food weight measurement comprising a weight sensing unit (5); a memory to store weight information of the food (12); an input unit to set a mode to measure the weight of the food and a mode to store the measured weight of the food (col. 2, lines 35-51); and a controller to store the weight of the food measured through the weight sensing unit in the memory when the weight measurement and storage modes are set through the input unit (col. 2, lines 20-51), and to calculate a cooking time depending on the weight of the food stored in the memory when cooking is performed (col. 1, lines 14-20).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ichikawa (US 4,724,292) in view of Chung et al (KR2001000431A). Ichikawa discloses substantially all features of the claimed invention except a display unit to display the weight of the food, a calorie content of the food, and a cooking time and to set various cooking conditions. Chung discloses a display unit to display the weight of the food, a calorie content of the food, and a cooking time and to set various cooking conditions (abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in Ichikawa a display unit to display the weight of the food, a calorie content of the food, and a cooking time and to set various cooking conditions as taught by Chung in order to provide a convenient to user to operate the microwave oven.

6. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichikawa (US 4,724,292) in view of Ciaramita (US 6,021,736). Ichikawa discloses substantially all features of the claimed invention except the input unit sets a calibration point to zero for the sensing unit (col. 7, lines 3-18) and the controller comprising an internal memory to store zero point calibrated weight information of the food (col. 7, lines 19-55). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in Ichikawa input unit sets a calibration point to zero for the sensing unit (col. 7, lines 3-18) and the controller comprising an internal memory to store zero point calibrated weight information of the food as taught by Ciaramita in order to calibrate and zero adjustment the weight sensor unit.

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7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ichikawa (US 4,724,292) in view of Guerin et al (US 4,914,277). Ichikawa discloses substantially all features of the claimed invention except the memory is an Electrically Erasable and Programmable Read Only Memory (EEPROM). Guerin discloses a memory is an Electrically Erasable and Programmable Read Only Memory (EEPROM) (col. 7, lines 15-22). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in Ichikawa a memory is an Electrically Erasable and Programmable Read Only Memory (EEPROM) as taught by Guerin in order to permanent store the food information even when the power is disconnected.

8. Claims 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichikawa (US 4,724,292) in view of Ciaramita (US 6,021,736) and further in view of Choi et al (US 5,780,821). Ichikawa/Ciaramita disclose substantially all features of the claimed invention except the input unit comprising a cooking start key to set cooking start and a thawing key to set a thawing mode. Choi discloses an input unit comprising a cooking start key to set cooking start and a thawing key to set a thawing mode (col. 5, lines 10-13). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in). Ichikawa/Ciaramita an input unit comprising a cooking start key to set cooking start and a thawing key to set a thawing mode as taught by Choi in order to select different operation mode to operate the microwave oven.

9. Claims 6-7, 9, 11-13, 19-24 and 26-27 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not show or suggest a counter to count a predetermined period of time for which a cooking start is not set, and deletes the weight information of the food stored in the memory when the time counted by the counter exceeds a set time as recited in claim 6; a weight sensor installed in an upper portion of a body of the microwave oven and having a fixed one end, wherein the weight sensor senses a weight of the food depending on a force applied to a free end thereof as recited in claims 7, 12-13; the first setting key is used to set a mode of searching a previously arranged table for a calorie content of the food and to display the calorie content as recited in claim 9; a rubber seat to provide a plate to receive the object thereon and the width of the object to be measured and a locking ring to fix the rubber seat to the platform base as recited in claim 11; the steps of calibrating a zero point for the weight sensing unit, calculating the weight of the food after the zero point calibration, storing and displaying the calculated weight of the food, calculating a cooking time to correspond to the calculated weight of the food, and performing cooking for the calculated cooking time as recited in claims 19-24; and the step of sensing, via a weight sensing unit, weight of an object placed on a platform unit external to the microwave oven as recited in claims 26-27.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T Van whose telephone number is 703-306-9162. The examiner can normally be reached on 8:00Am 7:00Pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Denise Pothier can be reached on 703-308-0265. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QV

QV
March 22, 2004

Quang T Van

Quang T Van
Primary Examiner
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